

MARYLAND

Maryland ranks 46th among the states in number of local governments with 256 as of October 2007.

COUNTY GOVERNMENTS (23)

The entire state is encompassed by county government with the exception of the area of the city of Baltimore. Baltimore is an independent city outside the area of any county and is counted as a municipal rather than a county government. Baltimore County is a county government but excludes the area of Baltimore City. A number of counties operate under home-rule charters. These counties are governed by county councils.

In counties without home-rule charters, the county governing body is known as the board of county commissioners. In addition, some counties operate under a special code option, but their governing bodies are still designated as boards of county commissioners.

SUBCOUNTY GENERAL PURPOSE GOVERNMENTS (157)

Municipal Governments (157)

The municipal governments in Maryland are the cities, towns, and villages. There are no significant differences between city and town governments that would affect their classification for census statistics. All municipal governments in Maryland except the city of Baltimore are treated as a single class in state legislation. Incorporation as a municipality requires a minimum population of 300. Municipalities may operate under home rule.

Some "villages" in Montgomery County have been formed as special taxing units rather than incorporated as municipal governments. These are counted as special district governments rather than as municipal governments for census purposes. See "Special District Governments," below.

Township Governments (0)

Maryland has no township governments.

PUBLIC SCHOOL SYSTEMS (39)

School District Governments (0)

Maryland has no independent school district governments.

Dependent Public School Systems (39)

In Maryland, the local public school systems are not counted as separate governments. Maryland statutes provide for the following types of dependent public school systems:

Systems dependent on county governments:

County boards of education
County and regional community colleges

System dependent on municipal governments:

Baltimore City schools

County schools are administered by a county board of education, which is either appointed by the Governor or elected.¹

County school fiscal requirements are determined and provided for by the county governing body. The county school systems are classified for census purposes as dependent agencies of the county government.

The Baltimore City schools are governed by a board of commissioners jointly appointed by the Governor and the mayor. Fiscal requirements are subject to review and are provided for by the city of Baltimore. The Baltimore City School System is not counted as a separate government but is classified as a dependent agency of the city of Baltimore.

Most community colleges in Maryland are classified for census reporting as dependent on the county governments they serve.² Community colleges are governed by a board of trustees appointed by the Governor either

with consent of the senate or on recommendation of the Maryland Higher Education Commission. Fiscal requirements of the colleges are determined and provided for by the sponsoring county governments. In the case of regional community colleges, which serve two or more counties, each participating county provides its share of the fiscal requirements of the college in proportion to enrollment.

Other Educational Activities

County boards of education may enter into agreements with other county boards of education, other educational institutions or agencies, or the county boards of commissioners or county councils to provide joint services. If a separate administrative entity is created, the agreement specifies the nature of the board and the funding arrangements. As of October 2007, no joint agreements under this provision exist.³

SPECIAL DISTRICT GOVERNMENTS (76)

Maryland statutes authorize the creation of a variety of special districts or authorities that are counted as governments. These are discussed in detail below.

Cooperative Library Corporations

These entities may be formed as nonstock corporations by two or more county boards of library trustees. They are governed as specified in their articles of incorporation. They may collect user fees and receive state and local funding. The Eastern Shore Regional Library was formed under this law.

Drainage Districts and Ditches

Maryland statutes authorize the following types of independent districts to provide for drainage of agricultural lands:

Drainage or levee districts. Drainage or levee districts may be established by the board of county commissioners on petition of landowners. A board of drainage commissioners is appointed by the county

commissioners. The board may issue bonds and levy special benefit assessments. As of October 2007, no drainage districts appear to have been established under this law.

Storm drainage districts. These districts may be established by local law in charter and code home-rule counties. Financial provisions governing storm drainage districts vary according to terms of the local legislation.

Tax ditches (drainage). Legislation authorizing these districts was repealed in 1941, but tax ditches then in operation are permitted to continue. Drainage ditches were established by the boards of county commissioners on petition of landowners and after a public hearing. Elected boards of managers govern the ditches. Tax ditches may levy special benefit taxes.

Housing Authorities

Housing authorities may be established in counties or in cities upon resolution or ordinance of the governing body. They are governed by boards of commissioners appointed by the highest elected official or as specified in legislation for individual county housing authorities. The authorities may issue bonds and fix and collect rentals.

Housing authorities governed by the county governing body or subject to county fiscal controls are not counted as separate governments. See "Subordinate Agencies and Areas," below.

Metropolitan Washington Airports Authority

This authority is counted under "Virginia--Special District Governments."

Northeast Maryland Waste Disposal Authority

This authority was created by special act to provide adequate waste disposal facilities, including those which provide for energy generation and resource recovery; to effect waste disposal programs on a regional basis; and to provide a regional coordinating agency

and a financing vehicle for facilities. The authority board consists of one member representing each member county and Baltimore City appointed by the Governor from lists approved by the chief executive officers. The director of the Maryland Environmental Service also serves on the board. The authority may fix and collect fees and rentals and issue revenue bonds.

Potomac Highlands Airport Authority

This authority is counted under "West Virginia--Special District Governments."

Public Watershed Associations

These associations provide water conservation, drainage, flood control, and soil conservation. The county governing body or the mayor and city council of Baltimore City may establish these associations upon petition of land owners and after public hearing. An elected board of directors governs each association. The board may issue bonds and may levy assessments on benefitted land.

Sanitary Commissions

Sanitary commissions to provide water supply, sewerage, and solid waste disposal facilities may be created by ordinance or resolution of the county governing body of one or more counties. The sanitary commission of a single-county district is appointed by the county governing body. The sanitary commission of a district having multiple member counties has members representing each member county who are appointed as specified in the articles of incorporation. The commissions may issue bonds, impose benefit assessments, and collect charges for services.

The LaVale Sanitary Commission, created by special act prior to enactment of general legislation, also is counted as an independent government. The board is appointed by the county commissioners. The board may fix and collect fees, issue bonds, and set property taxes.

The Washington Suburban Sanitary

Commission, created by special act, is subject to budget oversight by Montgomery and Prince George's counties. The St. Mary's County Metropolitan Commission, also created by special act, is subject to bond approval by the county. These commissions are classified as subordinate agencies.

Commissions of this type that are governed by the county governing body are not counted as separate governments. See "Subordinate Agencies and Areas," below.

Soil Conservation Districts

These districts are created by the state soil conservation committee on petition of the land occupiers after a public hearing and local referendum. A board of supervisors, with four members appointed by the state soil conservation committee and one appointed by the county governing body or appointed by the county executive with approval of the legislative branch, governs each district. The districts may require contributions from landowners for services performed and establish and implement a fee system.

Special Tax Districts

The following special tax districts are counted as special districts. The services they provide are specified in the creating legislation and may include services such as streets, lighting, parking, water supply, sanitation, drainage, recreational facilities, police, or fire.

In Allegany County:

The Bel Air Special Taxing Area, Bowling Green and Robert's Place Special Taxing Area, Corriganville Special Taxing District, Crespatown Special Taxing District, Ellerslie Special Taxing Area, McCoolle Special Taxing District, Moscow Special Taxing District, Mount Savage Special Tax Area, and Potomac Park Addition Taxing District are counted as special districts. All but the Corriganville Special Taxing District and the Moscow Special Taxing District were created by state law and local referendum prior to the passage of code home rule in Allegany County. The governing bodies

are elected. The county levies a property tax on behalf of the districts. The Crespatown Special Taxing District may issue bonds.

In Montgomery County:

The Friendship Heights and "The Hills" Special Tax District, Oakmont Special Tax District, and Village of Drummond Special Taxing Area are counted as special districts. These districts were created by state law prior to the passage of charter home rule in Montgomery County. The governing boards are elected. The statutes set a minimum tax for the county to levy on behalf of each district. The governing boards may levy special assessments with the approval of the county. The latter two may issue bonds.

Five former special taxing districts of this nature that were created by the general assembly have become municipal corporations.

For special tax districts in these counties and other counties that are not counted as governments, see "Subordinate Agencies and Areas," below.

Upper Potomac River Commission

This commission was established by special act to regulate the flow of the Potomac River, and following amendments to expand the commission's powers, to reduce pollution in the Potomac River by providing facilities for the treatment and disposal of sewage and industrial wastes. The commission owns the Savage River Dam and operates the Westernport Wastewater Treatment Facility. The commission consists of three members: a chair appointed by the Governor and one member each appointed by the county commissioners of Allegany and Garrett counties. Allegany County is authorized to issue bonds and to levy a tax for facilities related to regulating the flow of the Potomac River. The commission may issue revenue bonds and fix and collect fees for facilities related to pollution control.

Washington County Free Library

This library was formed under a special act to provide library services to the residents of Washington County. It is governed by a board of nine trustees. The library may obtain revenue through donations, sales, investments, and state and local appropriations.

Washington Metropolitan Area Transit Authority

This authority is counted under "District of Columbia--Special District Governments."

Water and Sewer Authorities

These authorities may be created by one or more political subdivisions (county, municipality, sanitary district, or other political subdivision) except in Montgomery and Prince George's counties. These authorities are governed by boards appointed by the creating governments. The authorities may fix and collect rates, fees, and charges and issue bonds. As of 2007, no water and sewer authorities have been reported in operation.

Water and sewer authorities with ex officio boards are not counted as independent governments. See "Subordinate Agencies and Areas," below.

SUBORDINATE AGENCIES AND AREAS

Shown below are various governmental designations in Maryland that have certain characteristics of governmental units but that are classified in census statistics as subordinate agencies of the state or local governments and are not counted as separate governments. Legal provisions for some of the larger of these are discussed below (see "Public School Systems," above, regarding educational agencies of this nature).

Some subordinate agencies and areas represent "special taxing areas" within the territory of an established government other than those listed under "Special Tax Districts," above. This method of financing additional

services in limited areas by property taxation, while also used by some municipal and township governments in a few states, is more widely utilized by county governments. In the listing below of authorized county-related agencies, a bullet (*) appears for each entity of this kind--i.e., any that may individually serve a portion rather than all of a county and for which a tax may be levied against the assessed value of property in the area served.

Maryland Health and Higher Educational Facilities Authority (state). An act of the state legislature created this authority to finance the construction of buildings for hospitals and institutions of higher education. The authority is governed by a board of nine members including eight members appointed by the Governor, plus the state treasurer ex officio. The authority may fix and collect fees and rents; make loans to participating hospitals or institutions of higher education; and issue revenue bonds.

Maryland-National Capital Park and Planning Commission (joint county). This commission provides park and recreational facilities plus planning services in Montgomery and Prince George's counties. It was created by special act. The governing body consists of ten members, five appointed by the Montgomery County council with the consent of the county executive and five appointed by the Prince George's County executive with the consent of the county council. Revenue needs are met by county tax levies. In addition, the commission may issue bonds, which may be guaranteed by the county in which the facilities to be financed are located. Since 1972, Montgomery and Prince George's counties have had the power to modify the commission budget. The commission also acts as governing body for the Maryland-Washington Metropolitan District and the Maryland Washington Regional District. These two districts are not counted as separate governments.

Maryland Transportation Authority (state). This authority was created by 1970 legislation to finance, operate, and maintain all state toll highways, bridges, and tunnels and finance

other transportation-related facilities by revenue bonds. Authority members are the secretary of the department of transportation plus six members appointed by the Governor with the consent of the senate. The authority may impose rates and charges for its facilities and issue revenue bonds.

Other examples include:

State ^{4, 5, 6}

Auxiliary and Academic Facilities Bond Authority
Canal Place Preservation and Development Authority
Chesapeake Bay Trust
Forest conservancy districts
Historic St. Mary's City Commission
Maryland Affordable Housing Trust
Maryland Agricultural Land Preservation Foundation
Maryland Deposit Insurance Fund Corporation
Maryland Economic Development Corporation
Maryland Environmental Service
Maryland Food Center Authority
Maryland Heritage Areas Authority
Maryland Higher Education Supplemental Loan Authority
Maryland Historical Trust
Maryland Industrial Development Financing Authority
Maryland Port Commission (including Maryland Port Administration)
Maryland-Potomac Water Authority (joint state-county)
Maryland Small Business Development Financing Authority
Maryland Stadium Authority
Maryland Venture Capital Trust
Southern Maryland Higher Education Center
State Tobacco Authority

County ^{7, 8}

Allegany County Transit Authority
Allegany County fire taxing areas
Bedford Road Fire Taxing Area (Allegany County)
Bowling Green Fire Taxing Area (Allegany County)
Crespatown Ambulance Taxing Area (Allegany

County)
 Crespatown Special Fire Tax Area (Allegany County)
 *LaVale Fire Taxing Area (Allegany County)
 *LaVale Rescue Taxing Area (Allegany County)
 Rawlings Special Fire Tax Area (Allegany County)
 Anne Arundel County Recreational Facilities Revenue Authority
 Baltimore County Metropolitan District
 Baltimore County Revenue Authority
 Baltimore County revitalization districts
 Battery Park tax area (Montgomery County)
 Calvert County Economic Development Authority
 Cecil County special taxing districts
 Commercial district management authorities in charter counties
 *Community development authorities (Frederick County)
 County library boards
 Electric lighting districts
 *Erosion districts
 Garrett County Memorial Hospital
 Historic districts
 Housing & Comm Dev Housing authorities governed by county governing body or under county fiscal control
 Howard County Economic Development Authority
 *Howard County fire districts
 Howard County Mental Health Authority
 Industrial development authorities (county)
 Local Redevelopment Authorities
 Bainbridge Development Corporation
 PenMar Development Corporation
 Maryland-Potomac Water Authority (joint state-county)
 Montgomery County development districts
 Montgomery County Fire Tax District
 Montgomery County Recreation District
 Montgomery County Revenue Authority
 Montgomery County Suburban District
 Noise abatement districts in Montgomery County
 Parking authorities (Montgomery and Prince Georges Counties)
 *Parking lot districts in Montgomery County
 Prince George's County Redevelopment Authority
 Prince Georges County Revenue Authority

*Prince Georges County storm water management districts
 Public drainage associations
 St. Mary's County Building Authority
 Commission
 St. Mary's County Metropolitan Commission
 *St. Mary's County Special Tax District (fire)
 Sanitary (or "metropolitan") districts governed by county governing body
 *Shore erosion control districts
 *Special community benefit districts in Anne Arundel County
 *Special taxing areas for public transportation in Anne Arundel, Carroll, Calvert, Frederick, Garrett, Howard, and Montgomery counties
 *Special taxing districts in Anne Arundel, Calvert, Charles, Garrett, Howard, Prince Georges, St. Mary's, Washington, and Wicomico counties
 *Special taxing districts in charter home-rule counties
 *Urban areas and suburban areas (Prince Georges County)
 Urban district corporations (Montgomery County)
 *Urban and suburban districts (Montgomery County)
 Washington County Museum of Fine Arts
 Washington Suburban Sanitary Commission
 Washington Suburban Transit District
 Water and/or sewer authorities with ex officio boards
 Waterways improvement districts
 Wicomico Urban Services Commission

Municipal

Baltimore City Downtown Commercial District Management Authority
 Baltimore City Child First Special Authority
 Baltimore City community benefits districts
 Downtown Management Authority
 Charles Village Community Benefits District
 Midtown Community Benefits District
 Waterfront Management District
 Baltimore Civic Center Authority
 Baltimore Community Development Finance Corporation
 Baltimore Development Corporation
 Baltimore Hotel Corporation

Baltimore retail business districts
Enoch Pratt Free Library (Baltimore)
Historic districts
Industrial development authorities (municipal)
Lexington Market Authority (Baltimore)
Parking authorities (Baltimore)
Special taxing districts (to finance storm drainage systems, parking facilities, pedestrian malls, commercial management authorities, street lighting, and ride sharing or bus systems)
Urban renewal agencies (special acts)
Urban renewal authorities for slum clearance
Water and/or sewer authorities with ex officio boards
Waterways improvement districts

Maryland laws also provide for various types of local areas for election purposes and administration of justice.

1. Prior to 2002, the Prince George's County board was jointly appointed by the Governor and the county executive from a list submitted by the state board of education.

2. Baltimore City Community College, previously classified as dependent on the city of Baltimore, is classified as a state institution of higher education.

3. On June 30, 2006, the Regional Education

Service Agency of Appalachian Maryland merged with the Tri-County Council for Western Maryland, a regional economic development organization. Its functions were transferred to the new Education Subcommittee of the Tri-County Board of Directors.

4. The former Seafood Marketing Authority was renamed Seafood Marketing and Aquaculture Development Program within the Maryland Department of Agriculture.

5. The Maryland Health Care Foundation was repealed effective June 1, 2004.

6. The Maryland Higher Education Supplemental Loan Authority was repealed effective June 1, 2003.

7. All previously created urban areas, special improvement districts, and special taxing areas in Prince Georges County were merged and consolidated in a countywide urban area created under provisions of the county code section 2-370.

8. The Worcester County Citizens Nursing Home Board, authorized by special act in 1965 to establish, maintain, and operate a nursing or convalescent home or homes does not exist.